

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 6, 2001

DIVISION ONE

B138138 Home Savings of America, F.S.G. (Not for Publication)
 v.
 Continental Insurance Company

We reverse the summary judgment for Continental. We reverse the order denying Home Savings' Motion for Summary Adjudication. We remand with directions to the trial court to enter an order granting Home Savings' summary adjudication motion. Home Savings is awarded costs on appeal.

Ortega, J.

We concur: Spencer, P.J.
 Mallano, J.

B128713 Top Cat Productions, Inc., et al.
B125481 v.
 Michael's Los Feliz

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION TWO

B141232 Modern Paint and Body Supply, Inc. (Certified for Partial Publication)
v.
State Board of Equalization

The judgment appealed from is reversed. Neither party is entitled to summary judgment. Each party to bear its own costs of appeal.

Nott, J.

We concur: Boren, P.J.
Cooper, J.

B137946 Fogel et al. (Not for Publication)
v.
Sedgwick, Detert, Moran & Arnold

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
Todd, J.

B142380 Baca (Not for Publication)
v.
Williams

The order vacating the judgment and ordering parental tests is reversed. Appellant is awarded costs on appeal.

Nott, Acting P.J.

We concur: Cooper, J.
Todd, J.

DIVISION TWO (Continued)

B139233 Stellar (Not for Publication)
v.
Gallatin Medical Corporation

The judgment is affirmed. Respondent is awarded costs on appeal. The motion for sanctions is granted. The matter is remanded back to the trial court for determination of proper sanctions to be imposed jointly against Gallatin and its counsel.

Nott, Acting P.J.

We concur: Cooper, J.
Todd, J.

B135333 People (Not for Publication)
v.
Soto

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
 Cooper, J.

B139355 People (Not for Publication)
v.
Johnson

The judgment is affirmed except as to the receiving stolen property conviction (count 3) which is reversed.

Nott, J.

We concur: Boren, P.J.
 Todd, J.

March 6, 2001-Continued

DIVISION TWO (Continued)

[illegible]

The judgment (order granting probation) is affirmed.

Nott, Acting P.J.

We concur: Cooper, J.
 Todd, J.

B144381 People (Not for Publication)
v.
Ashley B.

The order under review is affirmed.

Nott, J.

We concur: Boren, P.J.
 Cooper, J.

B142533 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Monique G.

We conclude that appellant has waived any objection to notice of the May 30, 2000 hearing. Accordingly, the order under appeal is affirmed.

Nott, J.

We concur: Boren, P.J.
 Todd, J.

DIVISION THREE

B125645 Maria L. Hsia (Not for Publication)
 v.
 Howard Hom

The judgment is affirmed. Costs on appeal are awarded to Hom.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

B141473 People (Not for Publication)
 v.
 Jones

The judgment is affirmed.

Klein, P.J.

We concur: Aldrich, J.
 Fidler, J. (Assigned)

B144871 People (Not for Publication)
 v.
 Zarate

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

March 6, 2001-Continued

DIVISION THREE (Continued)

[illegible]

The judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

DIVISION FIVE

Court convened at 8:00 A.M.

Present: Turner, P.J., Grignon, J., Willhite, J., (Assigned) and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B146888 People v. Alan L. Thompson
B145297 People v. White
B146864 People v. Mark Lund

Argument waived, cause submitted.

B144456 People
v.
Richard Arthur Aguirre

Merits:
Argued by Louisa Pensanti for appellant and by Theresa A. Cochrane, deputy attorney general, for respondent. Cause submitted.

Court recessed.

DIVISION FIVE (Continued)

Court reconvened at 9:00 A.M.

Present: Turner, P.J., Grignon, J., Willhite, J., (Assigned) and Zaida G. Heraldez, Deputy Clerk.

B143653 People v. Kip D.

Argument waived, cause submitted.

B138597 Paul Daniel Quatrochi
 v.
 Joseph M.B. Guttman

Merits:

Argued by Curtis A. Cole for appellant. No appearance for respondent.
Cause argued, submission deferred for 30 days.

B138496 People
 v.
 Edwin Aponte

Merits:

Argued by Allison H. Ting for appellant and by Theresa Conchrane, deputy attorney general, appears for respondent and waives. Cause submitted.

B140882 People
 v.
 Richardo Olvera

Merits:

Argued by Carlo Andreani for appellant and by Thien Huong Tran, deputy attorney general, for respondent. Cause submitted.

DIVISION FIVE (Continued)

B140462 Nancy Williamson
 v.
 Lloyd Williamson

Appearances:

Tammy Y. Nakada, deputy district attorney, for respondent. No appearance for appellant. Argument waived, cause submitted.

Court recessed.

Court reconvened at 10:00 A.M.

Present: Turner, P.J., Grignon, J., Willhite, J., (Assigned) and Zaida G. Heraldez,,
Deputy Clerk.

B143753 D.C.F.S. v Kip D.

Argument waived, cause submitted.

B133117 Naomi Dekens
 v.
 Hamilton Beach/Proctor-Silex Inc.

Merits:

Argued by Diane Abraham for appellant and by Roy G. Weatherup for respondent. Cause submitted.

B132684 Naomi Dekens
 v.
 Ford Motor Company

Merits:

Argued by Diane L. Abraham for appellant and by Eugene Brown Jr. for respondent. Cause submitted.

DIVISION FIVE (Continued)

B139590 Edward Dickstein et al.
 v.
 Harlan & Boettger et al.

Merits:

Argued by Neal Goldstein for appellants and by Paul William Smigliani for respondents. Cause submitted.

Court recessed. 11:15 A.M.

Court reconvened at 11:20 A.M.

Present: Turner, P.J., Grignon, J., Armstrong, J. and Zaida G. Heraldez, Deputy Clerk.

B144333 TrafficSchoolOnLine Inc.
 v.
 Superior Court, Los Angeles County
 (Frederick K. Ohlrich, r.p.i.)

Merits:

Argued by Marlon V. Young for petitioner and by Cindy S. Lee for real party in interest. Cause submitted.

Court recessed at 11:58 A.M.

Court reconvened at 12:00 P.M.

Present: Grignon, J., Armstrong, J., Willhite, J., (Assigned) and Zaida G. Heraldez, Deputy Clerk.

Each of the following:

B142707 People v. Robert B. Decatur
B141755 People v. Francisco Fonseca
B142128 Santos v. State of California

Argument waived, cause submitted.

DIVISION FIVE (Continued)

B143259 Valerio Molina
 v.
 County of Los Angeles et al.

Merits:
Argued by Fern S. Nisen for appellant and by Philip S. Miller, deputy
county counsel, for respondents. Cause submitted.

B141639 Ben J. Hurst
 v.
 Roy B. Walker

Merits:
Argued by David I. Karp for appellant and by Daniel J. Doonan for
respondent. Cause submitted.

B146476 Stern Metals Inc.
 v.
 Joseph Ash et al.

Merits:
Argued by Robert Guevara for Joseph Ash and Mark S. Gottlieb for
respondent. Cause submitted.

Court recessed 12:30 P.M.

Court reconvened 1:00 P.M.

Present: Grignon, Acting P.J., Armstrong, J., Willhite, J. (Assigned) and J. Belcher,
Deputy Clerk.

B141419 Dada Hassine
 v.
 Jerome Friedman et al.

Merits:
Argued by Michael Oran for appellant and by Steven L. Anderson and
Gerald Philip Peters respondents. Cause submitted.

DIVISION FIVE (Continued)

B138924 Jody LaPorte
v.
W. Darrow Fiedler

Merits:
Argued by Joshua N. Levine for appellant and by Craig B. Forry for respondent. Cause submitted.

B141836 Ruby Morales
v.
Bruce Fagel et al.

Merits:
Argued by Daniel U. Smith for appellants and by Manuel Corrales Jr. for respondents. Cause submitted.

B143474 Videotape Plus, Inc., et al.
v.
Vincent Lyons et al.

Merits:
Argued by Jeffrey Lewis for appellants. Respondent's counsel waived argument. Cause submitted.

B139553 Ronald Jeffrey et al.
v.
Robert Smouse, Jr., et al.

Merits:
Argued by Larry D. Henson for appellants and by Brian G. Saylin for respondents. Cause submitted.

March 6, 2001-Continued

DIVISION FIVE (Continued)

B137885 Mark Lueker
v.
Ernesto Bues

Merits:

Argued by Mitchel J. Ezer for appellant and by Karen A. Clark for respondent. Cause submitted.

The court recessed at 2:00 P.M.

The court reconvened at 2:10 P.M.

Present: Grignon, Acting P.J., Armstrong, J., Willhite, J. (Assigned) and J. Belcher, Deputy Clerk.

B142900 Janice Abner
v.
Compton Unified School District

In open court matter is continued to April 11, 2001 at 1:00 p.m.

Court adjourned at 2:15 P.M.

DIVISION SIX

B142320 People (Not for Publication)
v.
Hoac

The judgment (order of commitment) is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.